

Applicant: David Haase, *et al.*
U.S.S.N.: 10/679,726
Filing Date: October 6, 2003
EMC Docket No.: EMC-03-100CIP2

The Advisory Action and Notice of Non-Compliant Amendment, dated 8/15/2006, were issued by the Office in response to an interview held between the Examiner and Applicant's attorney on August 7, 2006 regarding a Notice of Non-Compliant Amendment issued by the Office with regard to US Patent Application Serial No. 10/679,662 dated July 31, 2006.

It was discussed in the interview that in the applicant's Response to Office Action, submitted on July 13, 2006, to that Office Action dated April 13, 2006 against the instant application, a typographical error inadvertently listed the serial number as '10/679,662' in the header section on pages 2 through 12. However, the correct serial number (10/679,726) was recorded on each of the transmittal sheets and on the first page of the Response.

In the Interview, it was further discussed that the Notice of Non-Compliant Amendment was issued against the '662 application and not the instant ('726) application. The Examiner concurred with the error in the issuance of the Notice of Non-Compliant Amendment. An Interview Summary was issued by the Office and is included in the file of the '662 application. The Office further vacated the Notice of Non-Compliant Amendment with regard to the '662 application.

As it was understood by Applicant's attorney that the Notice of Non-Compliant Amendment dated July 31, 2006 should have been directed to the instant application, Applicant's attorney prepared and submitted a revised Response to the Office Action, on August 9, 2006, to correct the error found to exist in the header information. The submittal of the revised Response was performed prior to receiving the instant Advisory Action and Notice of Non-Compliant Amendment

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In submitting the response on August 9, 2006, a petition for a one month extension of time for filing a response and the appropriate fee was included.

As applicant has submitted a response to correct the error in form in a prior response before receiving the instant Notice of Non-Compliant Amendment, applicant believes that the response submitted on August 9, 2006, while premature, is responsive to the Notice of Non-Compliant Amendment issued August 15, 2006.

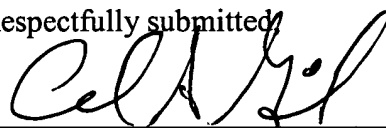
Applicant respectfully requests that the Response filed on August 9, 2006 be entered and that it be deemed responsive and timely filed with regard to the instant Advisory Action and Notice of Non-Compliant Amendment.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone number indicated below.

No fees are believed necessary for submission of this paper. However, if any fees are needed, please charge all fees occasioned by this submission to Deposit Account No. 05-0889.

Dated: 8/22/06

Respectfully submitted,



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